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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,414	12/22/2000	Yuka Nagai	862.C2079	8024

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EXAMINER

MILIA, MARK R

ART UNIT PAPER NUMBER

2622

DATE MAILED: 05/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,414

Applicant(s)

NAGAI ET AL.

Examiner

Mark R. Milia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 10/29/04, and has been entered and made of record. Currently, claims 1-24 are pending.

Drawings

2. Applicant's amendments to the drawings were received on 10/29/04. These drawings are acceptable and overcome the objection as cited in the previous Office Action. Therefore the objection is withdrawn.

Specification

3. Applicant's amendment to the specification received on 10/29/04 to amend the abstract and place it in proper form and to correct the reference character in reference to Fig. 47 has overcome the objection to the specification as cited in the previous Office Action. Therefore the objection is withdrawn.

Claim Rejections - 35 USC § 112

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

5. Applicant's amendment to claim 5 received on 10/29/04 has provided sufficient antecedent basis and has overcome the rejection as cited in the previous Office Action. Therefore the rejection is withdrawn.

Response to Arguments

6. Applicant's arguments, see pages 17-20, filed 10/29/04, with respect to the rejection(s) of currently amended claim(s) 1, 9, and 17 under 35 U.S.C. 102(e) have been fully considered and are persuasive. Examiner agrees that Kageyama does not disclose displaying a list of jobs in response to depression of a stop key. Applicant's arguments, with respect to the rejection(s) of currently amended claim(s) 5-8, 13-16, and 21-24 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Examiner agrees that Kawabuchi does not disclose displaying a list of jobs awaiting execution in response to depression of a stop button. Applicant's arguments, with respect to the rejection(s) of currently amended claim(s) 2-3, 10-11, and 18-19 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Examiner agrees that neither Kageyama nor Kawabuchi disclose displaying a list of jobs awaiting execution in response to depression of a stop key. Therefore, the rejections have been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of the current amendments and a different interpretation of a previously cited reference.

Claim Rejections - 35 USC § 103

Claims 1-3, 5-11, 13-19, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawabuchi in view of U.S. Patent No. 5669040 to Hisatake as cited on Notice of References Cited in the previous Office Action dated 7/26/04.

Regarding claims 1, 9, and 17, Kawabuchi discloses an image processing apparatus, method, and storage medium which can accept and parallelly execute a plurality of jobs, comprising: a stop key for instructing to stop a job during job execution (see Fig. 2, column 3 line 61-column 4 line 4, and column 6 lines 61-67), a display unit for displaying a list showing plural jobs including a job in execution in response to a depression of said stop key by a user (see Figs. 2 and 23, column 6 line 61-column 7 line 15, and column 10 lines 3-33), a console which allows the user to select any of jobs in the list displayed on said display unit (see Fig. 23 and column 10 lines 3-33), and a controller for, when the user instructs to cancel a selected job using said console, canceling the selected job (see column 6 line 61-column 7 line 15, column 7 lines 48-51, and column 10 lines 3-33).

Kawabuchi does not disclose expressly a display unit for displaying a list showing plural jobs including a job in execution and a job waiting execution.

Hisatake discloses a display unit for displaying a list showing plural jobs including a job in execution and a job waiting execution (see Figs. 7 and 8, column 12 lines 36-53, and column 13 lines 15-20).

Regarding claims 5, 13, and 21, Kawabuchi discloses an image processing apparatus, method, and storage medium which can accept and parallelly execute a plurality of jobs, comprising: a stop key for instruction to stop a job during job execution (see Fig. 2, column 3 line 61-column 4 line 4, and column 6 lines 61-67), a display unit for displaying a list showing plural jobs including a job in execution and job waiting execution in response to a depression of said stop key by a user (see Figs. 2 and 23, column 6 line 61-column 7 line 15, and column 10 lines 3-33), a discrimination unit for discriminating a currently set stop mode when a user requests to stop a job by depressing said stop key (see column 6 line 61-column 7 line 15, column 7 lines 47-51, and column 10 lines 3-33), and a controller for stopping a job in accordance with the stop mode discriminated by said discrimination unit (see column 7 lines 47-51) wherein said controller cancels a job selected from the plural jobs displayed by said display unit (see Fig. 23 and column 10 lines 3-33).

Kawabuchi does not disclose expressly a display unit for displaying a list showing plural jobs including a job in execution and a job waiting execution.

Hisatake discloses a display unit for displaying a list showing plural jobs including a job in execution and a job waiting execution (see Figs. 7 and 8, column 12 lines 36-53, and column 13 lines 15-20) and a controller for stopping a job in accordance with the stop mode discriminated by said discrimination unit wherein said controller cancels

a job selected from the plural jobs displayed by said display unit (see Fig. 21, column 12 lines 36-53, and column 13 lines 15-20).

Kawabuchi & Hisatake are combinable because they are from the same field of endeavor, multi-function apparatus capable of altering job execution.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the list of jobs being executed and awaiting execution capable of being altered, i.e. stopped, canceled, restarted, etc., as described by Hisatake with the system of Kawabuchi.

The suggestion/motivation for doing so would have been to allow a user to reliably and easily identify an already registered job and alter the processing.

Therefore, it would have been obvious to combine Hisatake with Kawabuchi to obtain the invention as specified in claims 1, 9, and 17.

Regarding claims 2, 10, and 18, Kawabuchi and Hisatake disclose the system discussed in claims 1, 9, and 17, and Kawabuchi further discloses wherein when the user instructs to stop a job by depressing said stop key, said controller pauses all jobs which are being executed, displays a list of all the paused jobs on said display unit, and restarts execution of jobs which are not selected from the list, so as to stop the selected job (see Fig. 23 and column 10 lines 3-33).

Regarding claims 3, 11, and 19, Kawabuchi and Hisatake disclose the system discussed in claims 1, 9, and 17, and Kawabuchi further discloses wherein when the user instructs to stop a job by depressing said stop key, said controller checks the

number of jobs which are being executed, stops a job if only one job is being executed, displays a list of all jobs which are being executed on said display unit if a plurality of jobs are being executed, and stops a job selected from the list (see Fig. 23, column 6 line 61-column 7 line 15, and column 10 lines 3-33).

Regarding claims 4, 12, and 20, Kawabuchi and Hisatake disclose the system discussed in claims 1, 9, and 17, and Hisatake further discloses appending means for appending arbitrary job information to an input job (see column 12 line 36-column 13 line 20).

Regarding claims 6, 14, and 22, Kawabuchi and Hisatake disclose the system discussed in claims 5, 13, and 21, and Kawabuchi further discloses wherein when the stop mode is a first mode, said controller stops an image scan job of the plurality of jobs (see column 6 line 61-column 7 line 15, reference states after stop key is pressed if document being read is the only operation being executed then a stop report is transmitted).

Regarding claims 7, 15, and 23, Kawabuchi and Hisatake disclose the system discussed in claims 5, 13, and 21, and Kawabuchi further discloses a console which allows the user to select any of the jobs in the list displayed on said display unit, wherein when the stop mode is a second mode, said controller stops an image scan job if no jobs other than the image scan job are found, and displays existing jobs on the said display unit and cancels a job selected from the display jobs if print or communication jobs are found (see column 6 lines 61-67 and column 10 lines 16-30).

Regarding claims 8, 16, and 24, Kawabuchi and Hisatake disclose the system discussed in claims 5, 13, and 21, and Kawabuchi further discloses a console which allows the user to select any of jobs in a list displayed on a display unit, wherein when the stop mode is a third mode, if print or communication jobs are found, said controller displays existing jobs on said display unit, and cancels a job selected from the displayed jobs (see column 10 lines 3-33).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (571) 272-7402. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark R. Milia
Examiner
Art Unit 2622

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